S.B.Cr.Misc. Bail App. No.4277/2007

(Phoolwati vs. State of Rajasthan)

Date of order : September 14, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.N.Kalla, for the petitioner.
Mr.Vishal Raj Mehta, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and police investigation diary. I have also gone through the statement of the prosecutrix recorded under section 164 Cr.P.C.

It is contended by the learned counsel for the petitioner that the allegation of rape is against Dharm Pal and the allegation against the petitioner is that she used to call the prosecutrix at her house.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439

Cr.P.C. is allowed and it is directed that petitioner Phoolwati w/o Rajendra Kumar be released on bail in FIR No.414/2007, P.S. Sangariya, Distt. Hanumangarh provided she furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-